#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Ying Feria

Serial No.

09/661,967

Group Art Unit: 2617

Filed:

09/14/2000

Examiner: Ly, Nghi H.

For:

STRATOSPHERIC-BASED COMMUNICATION SYSTEM HAVING

INTERFERENCE CANCELLATION

Mail Stop Amendment Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

#### RENEWED AFFIDAVIT UNDER 37 C.F.R. 1.131

Dear Sir:

This Renewed Affidavit is submitted with a Renewed Petition Under 37 C.F.R. 1.183 because, as set forth therein, the inventors have constructively refused to sign the Declaration Under 37 C.F.R. 1.131. Accordingly, this Renewed Affidavit is signed by an authorized representative and accompanied by a 37 C.F.R. 3.73(b) Certificate.

- I, Karen Lum, being an authorized representative of the Assignee, as set forth in the attached 37 C.F.R. 3.73(b) Certificate, in place of inventors Ying Feria, Ming Chang, Donald Chang, being duly sworn, depose and say:
- 1. Prior to August 31, 2000, the inventors of the subject application submitted an invention disclosure to the Hughes Electronics docketing department.
- 2. Prior to August 32, 2000, Michael W. Sales, Assistant General Patent Counsel Corporate Patents and Licensing of Hughes Electronics Corporation sent the attached Invention Disclosure to Kevin Mierzwa. This is attached hereto as Exhibit A.
- 3. The letter from Michael Sales enclosing the Invention Disclosure to outside counsel is submitted as Exhibit B.

- 4. Prior to August 31, 2000, John A. Artz acknowledged the receipt of the Invention Disclosure. This is attached hereto as Exhibit C.
- 5. On September 13, 2000, a final draft of the patent application was sent to Michael W. Sales of Hughes Electronics Corporation for filing. The letter to Michael W. Sales is included as Exhibit D. The draft of the patent application was prepared using the Invention Disclosure of Exhibit A which teaches a gateway station on page 4 of 7, a stratospheric platform on page 5 of 7, and interference cancelling on pages 5-7 of 7. Subtracting blocks are illustrated in Figure 1 of page 7 of 7 of the Invention Disclosure.
  - 6. Each of the dates deleted from Exhibits A through C are prior to August 31, 2000.

Respectfully submitted,

Dated: January 17, 2008

By: Maren L. Lum, Assistant Secretary

STATE OF CALIFORNIA ) SS:

COUNTY OF LOS ANGELES

On <u>January 17, 2008</u>, before me, Janet E. Shibata, a Notary Public in and for said State, personally appeared <u>KAREN L. LUM</u> who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Notary Public

## EXHIBIT A

SEND COMPLETED DISCLOSURE DIRECTLY TO: CORPORATE PATENTS AND LICENSING Loc. ES, Bidg. 001, M/S A109

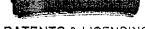
# INVENTION DISCLOSURE THIS INVENTION DISCLOSURE IS MADE PURSUANT TO MY / OUR INVENTION AGREEMENT WITH HUGHES ELECTRONICS CORPORATION AND/OR ITS SUBSIDIARIES ("HUGHES").



1. TITLE OF INVENTION SHEET Z OF 7											
Adaptive Interference Cancellation											
2. INVENTOR(S)											
NAME	PAYROLL NO.	SOL	JRCE (	CODE	LOC	BLDG	MS	1	PHONE		MANAGER
Ying Feria	P5613	TV	66	0E	sc	S41	A392	662-	-7893	Michel	le Glaser Weiner
Ming Chang	18450	TV	66	01	SC	S41	A392	416-	-1920	Art Sm	ith
Donald Chang	16435	08	10	30	ES	001	A170	662-	-9374	Wah Li	m
3. PROOF ON CONCEPTION  A. BY WHOM WAS FIRST DESCRIPTION WRITTEN OR DRAWING MADE?  Ying Feria  B. TO WHOM WAS INVENTION FIRST DISCLOSED?		DATE			TIME SPENT ACC		CCT. CHARGED   LOCATION O		OCATION OF	F FIRST DESCRIPTION / DRAWING	
4. REDUCTION TO PRACTICE											
WAS A DEVICE EMBODYING THE INVENTION CONSTRUCTED AND TESTED OR THE PROCESS		YES D			BY WHOM		DATE STARTED DATE		DATE COM	OMPLETED TIME SPENT	
B. ACCOUNT CHARGED — TIME	ACCOL	INT CH	ARGE	D — M	ATERIAL			PRES	ENT LOCATIO	ON OF DEV	/ICE
C. PRESENT LOCATION OF DOCUME	ENTS (DATE SIGN	ED AN	D WITH	NESSE	D), INCLUI	DING					
PHOTOS, DRAWINGS, AND DATA SHEETS SHOWING REDUCTION TO PRACTICE  NOTE: ALL EVIDENCE OF CONCEPTION (FIRST DRAWING AND FIRST WRITTEN DESCRIPTION) AND EVIDENCE OF REDUCTION TO PRACTICE (DEVICE EMBODYING THE INVENTION AND TEST DATA) MUST BE RETAINED.											
<ol> <li>RELATION TO GOVERNMENT</li> <li>A. DOES THIS INVENTION RELATE TO</li> </ol>							CONT	PACT	NUMBER AND	TITLE	
A. DOES THIS INVENTION RELATE TO WORK PERFORMED UNDER A GOVERNMENT CONTRACT?  VES  NO											
IS INVENTION BEING USED ON A GOVERNMENT CONTRACT?		YES NO	s 🗆 x		CONTRACT NUMBER AND TITLE						
6. RELATED DOCUMENTS AND	DISCLOSURE (	BY Y	OU OF	RBYA	NOTHE	R). PLE	ASE ATTA	CH CC	PY.		
A. IS THERE A PUBLICATION OR PUBLIC PRESENTATION RELATED TO THE INVENTION?		YES NO			DATE IDENTIFY						
3. ARE THERE ANY RELATED INVENTION DISCLOSURES OR PATENT APPLICATIONS?		YES	5 □ X		DATE IDENTIFY PD NO. ETC.			тс.			
C. ARE THERE ANY PROPOSALS OR I OTHER DOCUMENTS RELATING TO		YES NO	s □ x		DATE	Ę	IDENTIFY		***************************************		
D. HAS THE INVENTION BEEN USED, DEMONSTRATED OR OTHERWISE OUTSIDE THE COMPANY (SUCH AS OR CUSTOMER)?	DISCLOSED	YES No		ı	DATE	Ē	TO / FOR WHOM (COMPANY / PERSON)				
7. SALE											
A. HAS PRODUCT EMBODYING INVEN BY INVENTION BEEN PROPOSED. OFFERED FOR SALE?		YES NO	s 🗆		ORDER	NO.	ORDER (	DATE	DELIVER	Y DATE	DATE OFFERED OR PROPOSED
B. IS PRODUCT EMBODYING INVENTI INVENTION IN A DELIVERABLE ITE		YES NO	s 🗆	Di	DELIVERY DATE 201108						
HUGHES PROPRIETARY  THIS DOCUMENT CONTAINS PROPRIETARY INFORMATION, AND EXCEPT WITH WRITTEN PERMISSION OF HUGHES, SUCH INFORMATION SHALL NOT BE PUBLISHED, OR DISCLOSED TO OTHERS, OR USED FOR ANY PURPOSE, AND											
THE DOCUMENT SHALL NOT BE DUPLICATED IN WHOLE OF IN PART. THIS LEGEND SHALL BE APPLIED TO ALL											

236 CCS MAY 1999

DATE



PATENTS & LICENSING CORPORATE OFFICE

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#### INVENTION DISCLOSURE THIS INVENTION DISCLOSURE IS MADE PURSUANT TO MY / OUR INVENTION AGREEMENT WITH HUGHES.



SHEET & OF

#### SUMMARY OF THE INVENTION

GIVE A BRIEF DESCRIPTION OF YOUR INVENTION, PARTICULARLY POINTING OUT WHAT IS BELIEVED TO BE NOVEL (THE 'HEART' OF WHAT IS NEW).

For a system where all the user traffic is going to one point on the ground, namely, the gateway station, signal processing may be used for interference cancellation. Because all the information about where each and every one of the users on the system is handled at one point, the information on each user's location is known and available to a single controller. Also since the resources are assigned to each user by the gateway station, the information on which users might be interfering each other is also known. With the above information, the interference can be completely or partially cancelled. In the case of a mobile user system, this interference cancellation can be adaptive in time.

B. EXPLAIN THE PURPOSE AND ADVANTAGES OF YOUR INVENTION. (WHAT WILL THE INVENTION DO BETTER THAN DONE PREVIOUSLY?)

In a multiple user communication system where resources are reused for a higher capacity, interference may be a serious problem. To reduce interference level, the easiest way is to reduce the number of simultaneous users using the same resource (frequency or CDMA code). Clearly, this way of reduce interference is not desirable since it reduces the system capacity. A better way is to perform signal processing to cancel interference signals. In a system where all signals come to one point, this kind of cancellation is achievable.

#### **HUGHES PROPRIETARY**

THIS DOCUMENT CONTAINS PROPRIETA PUBLISHED, OR DISCLOSED TO OTHERS LEGEND SHALL BE APPLIED TO ALL DOC	S. OR USED FOR ANYXPURPOSE, AND "	THE DOCUMENT SHALL NOT BE DUP	I, SUCH INFORMATION SHALL NOT BE LICATED IN WHOLE OR IN PART. THIS
sing doute 1	liluly		PATENT DOCKET NO.
Durld Q -	RE INVENTOR		RECEIVED
READ AND UNDERSTOOD BY: SIGNATU	IRE INVENTOR	OATE	
E-J. TWONE WITNESS NAME (TYPE)	SIGNATURE	DATE:	
BIRWY THOUASON	SIGNATURE		PATENTS & LICENSING CORPORATE OFFICE

SIGNATURE

236 CCS MAY 1999 (EACH PAGE UPON WHICH INFORMATION IS ENTERED SHOULD BE SIGNED AND WITNESSED)

#### SEND COMPLETED DISCLOSURE DIRECTLY TO: CORPORATE PATENTS AND LICENSING Loc. ES, Bldg. 001, M/S A109

#### INVENTION DISCLOSURE THIS INVENTION DISCLOSURE IS MADE PURSUANT TO MY / OUR INVENTION AGREEMENT WITH HUGHES.



SUMMARY OF THE INVENTION (Continued)

IDENTIFY THE COMPANY PROGRAM OR PRODUCT LINE TO WHICH THE INVENTION APPLIES, AND THE EXPECTED VALUE TO THE PROGRAM OR PRODUCT LINE. ALSO IDENTIFY POTENTIAL COMMERCIAL APPLICATION OF THIS INVENTION, INCLUDING AUTOMOTIVE APPLICATIONS, IF ANY.

With this invention, programs such as Stratospheric Platform communication system will be enabled with a high capacity and low cost payload.

IDENTIFY THE PRIOR ART KNOWN TO YOU WHICH IS IMPROVED UPON OR DISPLACED BY YOUR INVENTION, AND STATE IN DETAIL, IF KNOWN, THE DISADVANTAGES OF THE CLOSEST PRIOR ART.

Interference cancellation has been used in some communications systems to cancel the cross polarization interference. This technique has been applied in systems where cross polarization interference is severe. The cancellation is achievable in such systems because both signals, copolarization and cross polarization signals, are available at one point. Expanding the application of interference cancellation to include cancellation of interference from other users is what this invention is about.

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ID EXCEPT WITH WRITTEN PERMISSION OF HUGHES, SUCH INFORMATION SHALL NOT BE PURPOSE, AND THE DOCUMENT SHALL NOT BE DUPLICATED IN WHOLE OR IN PART. THIS THIS INFORMATION. THIS DOCUMENT CONTAINS PROPRIETARY INFORMATION, AND PUBLISHED, OR DISCLOSED TO OTHERS, OR USED FOR ANY PUBLISHED, SHALL BE APPLIED TO ALL DOCUMENTS CONTAINING TO PATENT DOCKET NO. DATE DATE READ AND UNDERSTOOD BY: 12001 CHATHE PATENTS & LICENSING CORPORATE OFFICE

(EACH PAGE UPON WHICH INFORMATION IS ENTERED SHOULD BE SIGNED AND WITNESSED)

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### INVENTION DISCLOSURE THIS INVENTION DISCLOSURE IS MADE PURSUANT TO MY / OUR INVENTION AGREEMENT WITH HUGHES.



SHEET FOF 7

#### 9. DETAILED DESCRIPTION

DESCRIBE YOUR INVENTION IN DETAIL, USING NECESSARY ADDITIONAL SHEETS

- BE SURE THAT EACH SHEET IS DATED, AND SIGNED BY EACH INVENTOR AND TWO WITNESSES.
   (SHEET 5 SHOULD BE USED, IF PRACTICAL).
- B. ATTACH COPIES OF DRAWINGS OR DETAILED REPORTS HELPFUL IN UNDERSTANDING HOW YOUR INVENTION WORKS
- C. IF YOUR INVENTION HAS BEEN TESTED, BRIEFLY SUMMARIZE THE TEST RESULTS WHICH CONFIRM THE FUNCTIONS AND ADVANTAGES LISTED IN 8 B ABOVE.

In a spectrum limited communication system, to increase the total system capacity, the spectrum is reused as many times as possible. For a satellite or stratospheric platform communication system, interference from users using the same resource is suppressed by antenna discrimination. Unfortunately, this discrimination may not be sufficient in some cases due to other constraints such as weight and size of the antennas. However, for a system where all the user traffic is going through a gateway station, the interference source and level is known; therefore, the interference could be cancelled by subtracting a weighted interfering signal (see Figure 1).

The basis for this scheme to work is that the system management has all the information regarding the interference. First, it knows exactly where the interference comes from since the system management is assigning resources to the users. Users with the same resources assigned to them will interfere with each other at certain levels. The interference levels depend on the antenna sidelobe levels at the interferer location. The sidelobe level is known to the system management as well since it is forming the beams.

**HUGHES PROPRIETARY** 

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PATENT DOCKET NO.

SIGNATURE INVENTOR

PATENT DOCKET NO.

DATE

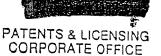
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(- . ), (\lambda (-2)) (. WITNESS NAME (TYPE)

SIGNATURE SIGNATURE DATE

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### INVENTION DISCLOSURE THIS INVENTION DISCLOSURE IS MADE PURSUANT TO MY / OUR INVENTION AGREEMENT WITH HUGHES.



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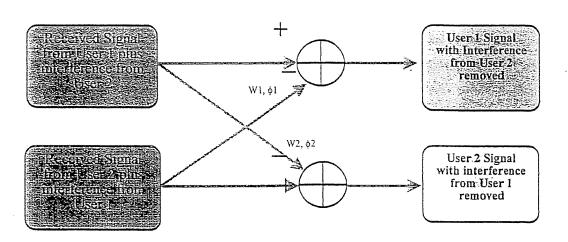


Figure 1: Removing interference from known sources.

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PATENT DOCKET NO.

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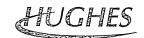
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CORPORATE OFFICE

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## EXHIBIT B



Building 001 M/S A109 Telephone: (310) 662-9916 Telefax: (310) 416-1216

#### VIA FEDERAL EXPRESS



Kevin Mierzwa, Esq. Artz & Atrz 28333 Telegraph Road Suite 250 Southfield, MI 48034

Re:

PD-200108 ADAPTIVE INTERFERENCE CANCELLATION

INVENTOR(S): Ying Feria (310) 662-7893 Ming Chang (310) 416-1920

Donald C. D. Chang (310) 662-9374

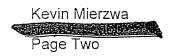
Dear Kevin:

Pursuant to your previous arrangements with our department, please proceed to prepare a patent application for the above disclosure at a cost not to exceed Fifty Five Hundred Dollars (\$5,500.00). This cost should include phone calls, messenger services and similar miscellaneous costs, as well as the cost of interviewing the inventors. Because the attached disclosure may be incomplete or additional embodiments may have been developed since its generation, at least one interview with the inventors may be required.

Please prepare two sets of claims for the application. One set of claims will be filed in the United States. The other set of claims will be filed in foreign countries and, therefore, should not use "means-plus-function" language, but should include reference numerals within parentheses and multiple dependencies where possible. Please try to limit the total number of claims in the second set to 10 or less.

PLEASE INCLUDE AN INDEPENDENT CLAIM DRAWN TO THE SYSTEM IN WHICH THE INVENTOR PROPOSES TO USE THE INVENTION. YOU MAY NEED TO OBTAIN A SYSTEM LEVEL BLOCK DIAGRAM FROM THE INVENTOR AS A SUPPORTING FIGURE.

To facilitate our filing of the U.S. patent application, your final draft of the application should be forwarded to me on numbered A4 paper. IN THE ABSTRACT PLEASE PROVIDE REFERENCE NUMERALS WITHIN PARENTHESES IN REFERENCE TO ONE FIGURE ONLY. The application should also be forwarded to me on a 3.5" diskette. On the diskette, please designate the word processing program used to generate the patent application.



cc: (Inventors w/o atts.)



The final draft of the application should include formal drawings (approved by the inventor) on Bristol boards. YOU ARE REQUESTED TO UTILIZE YOUR OWN DRAFTSMEN FOR PREPARATION OF THE FORMAL DRAWINGS. The formal drawings must be accompanied by a list identifying the name of the element and its callout number.

### PLEASE HAVE A FINAL DRAFT READY FOR FILING NO LATER THAN JUNE 1, 2000 IN ORDER TO MEET OUR FILING DEADLINES.

Of course, the subject matter disclosed in the application should be treated as proprietary to Hughes.

Invoices are to be submitted upon completion of the application. No partial billings will be accepted. When forwarding any billing information to Hughes, send the original documents to the attention of:

Ms. Kay Dunn Hughes Electronics Corporation 200 N. Sepulveda Blvd. ES 001/A110 P.O. Box 956 El Segundo, CA 90245-0956

Each inventor is being advised by this letter that you will be contacting him in the near future and that he should fully cooperate with you in writing this case.

If the foregoing terms are acceptable, please sign the attached copy of this letter in the space provided, then return to me as soon as possible.

If you have any questions, please call me at (310) 662-9916.

•		• •
		Very truly yours, HUGHES ELECTRONICS CORPORATION  Michael W. Salés Assistant General Patent Counsel Corporate Patents and Licensing
ACCEPTED: MWS:vcc		DATE:
	Invention Disclosure Letter in duplicate	

## EXHIBIT C

### ARTZ & ARTZ PC

Attorneys & Counselors Intellectual Property & Technology Related Causes

John A. Artz John S. Artz Robert P. Renke Kevin G. Mierzwa Angela M. Brunetti Franklin A. MacKenzie Thomas E. Donohue Steven W. Havs

Suite 250 28333 Telegraph Road Southfield, Michigan 48034 Phone: (248) 223-9500

Fax: (248) 223-9522



Michael W. Sales Corporate Offices Hughes Space & Communications Company 200 N. Supluveda Blvd. Post Office Box 956 El Segundo, CA 90245-0956

Re:

U.S. Patent Application for:

"Adaptive Interference Cancalation"

Inventors:

Harold Rosen

Ying Feria

P. Ramanujam

Your Reference:

PD-200108

Our File No.:

H 1216 PA

#### Dear Michael:

Thank you for your letter of and the new patent disclosure. We have reviewed the invention disclosure and believe that we can prepare an application on this invention at a flat rate of \$5,000. Per your request, we will also prepare the formal drawings for \$150/sheet.

We will proceed to prepare a patent application on the new disclosure as soon as possible, noting from your letter that the final version is due by

Very truly yours,

JAA/mem

## EXHIBIT D

### ARTZ & ARTZ PC

Attorneys & Counselors Intellectual Property & Technology Related Causes

John A. Artz John S. Artz Robert P. Renke Kevin G. Mierzwa Angela M. Brunetti Franklin A. MacKenzie Thomas E. Donohue Steven W. Hays

Suite 250 28333 Telegraph Road Southfield, Michigan 48034 Phone: (248) 223-9500 Fax: (248) 223-9522

September 13, 2000

Philip R. Warn (Of Counsel)

> Michael W. Sales, Esq. **Hughes Electronics Corporation** Building 001 M/S A109 200 N. Sepulveda Blvd. El Segundo, CA 90245-0956

Via Federal Express

Re:

U.S. Patent Application for

"Stratospheric-Based Communication System For Mobile Users

Having Cross Canceling Interference Rejection"

Your Reference: PD-200108

Our File No.:

H 1216 PA

Dear Mike:

Enclosed please find the final draft of the above-identified patent application which incorporates comments from the inventors. As you requested, we have also enclosed:

Two sets of claims (one with reference numerals)

One copy of the Specification on A4 paper

A 3.5" diskette containing the patent application and foreign claims (Word 97)

Formal drawings (4 copies)

A separate Abstract containing reference numerals

Should you have any additional changes, or any questions regarding this application, please do not hesitate to contact me directly.

Very truly yours,

ENTERED CPI

KGM/dik Enclosure

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Kevin G. Mierzwa Phone 248/223-7300	4b Express Freight Service Packages over 150 lbs.
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